

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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RAYMOND A. SEMENTE D.C., P.C.,

Plaintiff,

-against-

**ORDER ADOPTING R&R**  
2:14-CV-5823 (DRH) (SIL)

EMPIRE HEALTHCHOICE ASSURANCE,  
INC. d/b/a Empire Blue Cross Blue Shield,  
VERIZON COMMUNICATIONS INC.,  
VERIZON ADVANCED DATA INC.,  
VERIZON AVENUE CORP., VERIZON  
CORPORATE SERVICES CORP.,  
VERIZON NEW YORK INC., VERIZON  
NEW ENGLAND INC., VERIZON  
SERVICES CORP., EMPIRE CITY  
SUBWAY COMPANY (LIMITED),  
COUNTY OF SUFFOLK, SUFFOLK  
COUNTY LABOR/MANAGEMENT  
COMMITTEE, THE EMPLOYEE  
MEDICAL HEALTH PLAN OF SUFFOLK  
COUNTY,

Defendants.

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**HURLEY, Senior District Judge:**

### **INTRODUCTION**

Presently before the Court is the Report and Recommendation, dated October 12, 2018, of Magistrate Judge Steven I. Locke recommending that Defendant Suffolk County's Motion to Dismiss be denied. The time to file objections has expired, and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the October 12, 2018 Report and Recommendation of Judge Locke as if set forth herein. Accordingly,

**IT IS HEREBY ORDERED** that Defendants' motion to dismiss be denied.

Dated: Central Islip, N.Y.  
December 12, 2018

/s/ Denis R. Hurley  
Denis R. Hurley  
United States District Judge